

CLOSED

**U.S. District Court  
Northern District of Georgia (Atlanta)  
CRIMINAL DOCKET FOR CASE #: 1:18-mj-00888-JFK All Defendants**

*B-18-CR-673-04*

Case title: USA v. Saldivar

Date Filed: 09/07/2018

Other court case number: B 18-673 USDC, Southern District  
of Texas, Brownsville

Date Terminated: 09/07/2018

Assigned to: Magistrate Judge  
Janet F. King

**Defendant (1)**

**Gwendolyn Saldivar**

*TERMINATED: 09/07/2018*

represented by **Paul Stephen Kish**

Kish Law, LLC

1700 South Tower

225 Peachtree Street, NE

Atlanta, GA 30303

404-207-1338

Fax: 404-207-1339

Email: [paul@kishlawllc.com](mailto:paul@kishlawllc.com)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: Retained*

**United States District Court  
Southern District of Texas  
FILED**

SEP 11 2018

David J. Bradley, Clerk of Court

*Brownsville  
Division*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**

**(Terminated)**

None

**Complaints**

**Disposition**

18:371, 1546(a) and 2

CONSPIRACY TO DEFRAUD

THE UNITED STATES

**Plaintiff****USA**

represented by **Kelly Kathleen Connors**  
 Office of the United States  
 Attorney-ATL600  
 Northern District of Georgia  
 600 United States Courthouse  
 75 Ted Turner Dr., S.W.  
 Atlanta, GA 30303  
 404-581-4639  
 Email: [kelly.connors@usdoj.gov](mailto:kelly.connors@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

Date Filed	#	Page	Docket Text
09/07/2018			Arrest (Rule 40) of Gwendolyn Saldivar. (bdb) (Entered: 09/11/2018)
09/07/2018	<u>1</u>	3	Minute Entry for proceedings held before Magistrate Judge Janet F. King as to Gwendolyn Saldivar: Initial Appearance in Rule 5(c)(3) Proceedings held on 9/7/2018. Bond Hearing. Personal Recognizance – Non Surety Bond. Bond filed. Defendant released. (Tape #FTR GOLD) (bdb) (Entered: 09/11/2018)
09/07/2018	<u>2</u>	4	Personal Recognizance Bond on Rule 5(c)(3) Entered as to Gwendolyn Saldivar. (bdb) (Entered: 09/11/2018)
09/07/2018	<u>3</u>	6	ORDER Setting Conditions of Release as to Gwendolyn Saldivar. Signed by Magistrate Judge Janet F. King on 9/7/2018. (bdb) (Entered: 09/11/2018)
09/07/2018			Magistrate Case Closed. Defendant Gwendolyn Saldivar terminated. (bdb) (Entered: 09/11/2018)
09/11/2018			Transmittal of Rule 5(c)(3) Documents as to Gwendolyn Saldivar, sent to USDC, Southern District of Texas, Brownsville via electronic mail. Original case file with Bond and docket sheet. (bdb) (Entered: 09/11/2018)



FILED IN OPEN COURT

U.S.D.C. Atlanta

SEP - 7 2018

James N. Hansen, Clerk  
Deputy Clerk

## UNITED STATES DISTRICT COURT

for the

Northern District of Georgia

United States of America )

v. )

Case No.

1:18-MJ-888

GWENDOLYN SALDIVAR )

Defendant )

B-18-CR-673-04

## APPEARANCE BOND

## Defendant's Agreement

I, GWENDOLYN SALDIVAR (defendant), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- ( ☒ ) to appear for court proceedings;  
 ( ☒ ) if convicted, to surrender to serve a sentence that the court may impose; or  
 ( ☒ ) to comply with all conditions set forth in the Order Setting Conditions of Release.

## Type of Bond

( ☒ ) (1) This is a personal recognizance bond.

( ) (2) This is an unsecured bond of \$ \_\_\_\_\_.

( ) (3) This is a secured bond of \$ \_\_\_\_\_, secured by:

( ) (a) \$ \_\_\_\_\_, in cash deposited with the court.

( ) (b) the agreement of the defendant and each surety to forfeit the following cash or other property (describe the cash or other property, including claims on it — such as a lien, mortgage, or loan — and attach proof of ownership and value):  
 \_\_\_\_\_  
 \_\_\_\_\_

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

( ) (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## Forfeiture or Release of the Bond

**Forfeiture of the Bond.** This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

**Release of the Bond.** The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

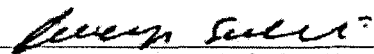
## Declarations

*Ownership of the Property.* I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

*Acceptance.* I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond. I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: 9-7-18



Defendant's signature

(1) Surety/property owner – printed name

(1) Surety/property owner – signature and date

(1) Surety/property owner's address

(1) Surety/property owner's city/state/zip

(2) Surety/property owner – printed name

(2) Surety/property owner – signature and date

(2) Surety/property owner's address

(2) Surety/property owner's city/state/zip

(3) Surety/property owner – printed name

(3) Surety/property owner – signature and date

(3) Surety/property owner's address

(3) Surety/property owner's city/state/zip

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

APPROVED

Date: 9-7-18



Signature, United States Magistrate Judge

UNITED STATES DISTRICT COURT  
for the  
Northern District of Georgia

FILED IN OPEN COURT  
U.S.D.C. Atlanta

SEP - 7 2018

James E. Hatten, Clerk  
Deputy Clerk

UNITED STATES OF AMERICA

v.

GWENDOLYN SALDIVAR

Defendant

Case No.: 1:18-mj-888

B-18-CR-673-04

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at:

Place

on

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

## ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- ( ) (6) The defendant is placed in the custody of:

Person or organization \_\_\_\_\_

Address (only if above is an organization) \_\_\_\_\_

City and state \_\_\_\_\_

Tel. No. \_\_\_\_\_

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: \_\_\_\_\_

Custodian

Date

- ( X ) (7) The defendant must:

- ( X ) (a) submit to supervision by and report for supervision to the ☒ U.S. Pretrial Services ( ) U.S. Probation Office

telephone number 404-215-1900/1950, ( ) No later than \_\_\_\_\_

☒ Before leaving courthouse, or \_\_\_\_\_

- ( X ) (b) continue or actively seek employment.

- ( ) (c) continue or start an education program.

- ( X ) (d) surrender any passport to: your supervising officer by: \_\_\_\_\_, and do not obtain nor possess a passport or other international travel document, nor obtain or possess a passport or other international travel document in your name, another name or on behalf of a third party, including minor children.

- ( X ) (e) abide by the following restrictions on personal association, residence, or travel:

address without permission of Probation

May not change

- ( X ) (f) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: \_\_\_\_\_

- ( ) (g) get medical or psychiatric treatment: ( ) as directed by your supervising officers ( ) \_\_\_\_\_

- ( ) (h) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

- ( X ) (i) not possess a firearm, destructive device, other weapon, or ammunition, in your home, vehicle or place of employment, or upon your person.

- ( X ) (j) not use alcohol ( ) at all ( X ) excessively.

- ( X ) (k) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless lawfully prescribed by a medical licensed medical practitioner.

- ( ) (l) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

- ( ) (m) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

- ( ) (n) participate in one of the following location restriction programs and comply with its requirements as directed.

- ( ) (i) Curfew. You are restricted to your residence every day ( ) from \_\_\_\_\_ to \_\_\_\_\_, or ( ) as directed by the pretrial services office or supervising officer; or

- ( ) (ii) Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

- ( ) (iii) Home Incarceration. You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

- ( ) (o) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

- ( ) You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.

- ( X ) (p) report within 72 hours to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

- ( X ) (q) restrict travel to the Northern District of Georgia unless the supervising officer has approved travel in advance.

Southern

- ( ) (r) district of Texas

- ( ) (s) \_\_\_\_\_

- ( ) (t) \_\_\_\_\_



*Advice of Penalties and Sanctions*

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

While on release, if you commit a federal felony offense, the punishment is an additional prison term of not more than ten years; if you commit a federal misdemeanor offense, the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition to) any other sentence you receive.

It is a crime punishable by up to ten years of imprisonment and a \$250,000 fine or both to: obstruct a criminal investigation; tamper with a witness, victim or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

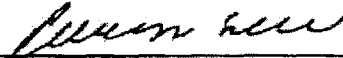
If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

*Acknowledgment of Defendant*

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.



Signature of Defendant



Address



City and State



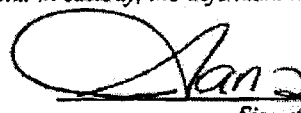
Telephone

*Directions to United States Marshal*

- ( ☒ ) The defendant is ORDERED released after processing.
- ( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date:

September 7, 2018



Signature of Judicial Officer

JANET F. KING, U.S. MAGISTRATE JUDGE

Name and Title of Judicial Officer

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL